

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13-21, and 23-25 are pending in this application.

Claims 1-2, 4-5, and 20-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over RFC 1738 "Uniform Resource Locators (URL)" 1994 (herein "RFC 1738") and further in view of U.S. patent 6,275,490 to Mattaway et al. (herein "Mattaway"), U.S. patent 6,275,490 to Godbole, U.S. patent 5,918,019 to Valencia, and U.S. patent 5,524,193 to Covington et al. (herein "Covington"). Claims 7-8, 17-19, and 23-25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mattaway and further in view of RFC 1738 and Godbole and Valencia and Covington. Claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mattaway further in view of Godbole and Valencia and Covington. Claim 11 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mattaway and further in view of U.S. patent 5,732,133 to Mark, Godbole and Valencia. Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mattaway and further in view of U.S. patent 4,585,904 to Mincone et al. (herein "Mincone") Godbole and Valencia. Claims 14-16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mattaway and further in view of U.S. patent 5,835,724 to Smith, Godbole and Valencia.

Addressing the above-noted rejections, each of the above-noted rejections is traversed by the present response.

It is initially noted that each of the independent claims is amended by the present response to clarify a feature recited therein. For example, independent Claim 1 further recites a feature that the information "further includes telephone number information configured to confirm that a communication link with said predetermined apparatus has been established". The other independent claims are herein amended to recite a similar feature.

Such a feature is shown, as a non-limiting example, in steps S12, S13 in Figure 3B in the present specification, and is also shown in window 31 in Figure 5. As noted in those portions, a message can be displayed on a window 31 requesting a user to confirm that a display telephone number shall be called. For example Figure 5 shows displaying the question "Are you sure that the telephone number XXX-XXX-XXXX shall be called?...". Thus, as shown in Figure 5 the message includes telephone number information.

The features as clarified in each of the independent claims are believed to more clearly distinguish over the applied art.

More particularly, none of the applied art is believed to teach or suggest a feature of providing a confirmation operation utilizing telephone number information to confirm that a communication link with the predetermined apparatus shall be established.

With respect to the claimed feature of providing information configured to confirm that a communication link with the predetermined apparatus shall be established, the outstanding office action makes the following statements:

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message). However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. For example, Covington teaches to provide a dialog so as to enable the user to confirm that the user intended to perform an operation that could be disruptive [see col. 10 lines 50-60]. Hence, it would have been obvious to one of ordinary skill in the art to confirm that the user meant to establish the connection indicated in the link because it would have enabled the system to confirm the user's intention and to prevent erroneous destruction of the existing data connection.<sup>1</sup>

In response to the above-noted basis for the outstanding rejection, applicants first submit that the outstanding rejection takes an overly broad view of the teachings in

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<sup>1</sup> Office Action of April 19, 2004, page 5, first paragraph.

Covington, and further that even the teachings in Covington do not teach or suggest the claimed features.

Covington discloses a device with a “Scan Disk Operation” which when activated results in a dialog box appearing asking a user to confirm that the “Scan Disk” operation is intended to be performed.<sup>2</sup>

Such a teaching in Covington is unrelated to the claims as currently written. As noted above, the claims are amended by the present response to clarify that the confirmation operation recited in the claims utilizes telephone number information. As shown for example in Figure 5 in the present specification, a display may specifically ask “Are you sure that the telephone number XXX-XXX-XXXX shall be called?...”. The claims clarify that such a confirmation utilizes telephone number information, which clearly distinguishes over the mere display of a dialog box asking for a confirmation of a “Scan Disk” operation in Covington.

Further, applicants submit that merely because Covington discloses asking for confirmation of the “Scan Disk operation”, that does not at all indicate or suggest utilizing a specific type of information for a confirmation, and particularly telephone number information as clarified in the claims.

Moreover, the specific teachings of confirming operation of “a Scan Disk operation” in Covington are not believed to be even relevant to the other cited art, for example to Mattaway, as Mattaway does not disclose or suggest utilizing any type of “Scan Disk” operation.

Applicants also note that the basis for the outstanding rejection appears to be a clear hindsight reconstruction of applicants’ invention not based on any teachings in the prior art themselves. It is only the applicants of the present invention who have recognized benefits of

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<sup>2</sup> Covington at column 10, lines 55-60.

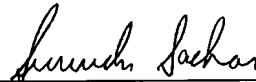
utilizing telephone number information in a confirmation operation. No prior art cited in the Office Action teaches or suggests such an operation. As noted in M.P.E.P. § 2143, the teaching or suggestion to make a modification of a reference must be found in the prior art and not in applicants' disclosure. Applicants submit it is only the applicants' present disclosure that suggests the features clarified in the claims, and that therefore the outstanding rejections are clearly based on an improper hindsight reconstruction of the claimed invention.

In such ways, applicants respectfully submit that the claims as clearly written clearly distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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